

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LANE MYERS

Plaintiff,

v.

CHRISTOPHER WREN, NICHOLAS
SMITH and UNKNOWN FRERIKS,

Defendants.

Case No: 1:22-cv-00748

Hon. Paul L. Maloney

**DEFENDANTS' MOTION FOR
SANCTIONS UNDER FED. R.
CIV. P. 11**

Oral Argument Requested

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DEFENDANTS' MOTION FOR SANCTIONS UNDER FED. R. CIV. P. 11

Defendants move for sanctions under Fed. R. Civ. P. 11. Sanctions should be awarded because, as set forth in the accompanying Brief in Support, Plaintiff has refused to dismiss his claims despite the fact that they lack merit and are clearly intended to harass Defendants, Newaygo County and its officers and employees and force Defendants to waste public, taxpayer dollars to defend against Plaintiff's frivolous claims.

Pursuant to Fed. R. Civ. P. 11(c)(2) and W.D. Mich. L.R. 7.1(d), Defendants' counsel states that on September 28, 2022, Defendants' counsel served Plaintiff's counsel with a copy of this *Motion and Brief in Support of Motion for Sanctions Under Fed. R. Civ. P. 11*. (Exhibit 1, Certificate of Service). Plaintiff did not withdraw or appropriately correct its Complaint, so

Defendants now seek relief from this Court. In support of its motion, Defendants rely on their Brief in Support.

Defendants request that this Honorable Court grant its Motion for Sanctions under Fed. R. Civ. P. 11 and award Defendants their costs and attorney fees wrongfully incurred as a result of Plaintiff's violation of Rule 11.

Respectfully submitted,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

Dated: October 24, 2022

By: /s/ Leslie A. Dickinson
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